

**PB# 75-17**  
**Hugo & Josephine**  
**Giammarco**  
**(Never Materialized)**

**6-5-3.3**

Giammarco, Hugo & Josephine 75-17  
S/O.

never materialized  
filed with T.C. office  
9/21/76  
10:18 am 841.



**Oxford Pendaflex**  
CORPORATION

STOCK No. 753 1/3

• • •

MADE IN U.S.A.

*Memo* FROM:

OFFICE OF THE TOWN ENGINEER

TOWN OF NEW WINDSOR

555 UNION AVENUE

NEW WINDSOR, NEW YORK 12550

PHONE 565-8802

*received June 30, 1975  
P.B. S.H.*

TO:

Joseph Loscalzo, Chairman  
Planning Board

DATE: June 30, 1975

SUBJECT:

Giammarco Drainage

— FOLD HERE —

See attached letter

Please be advised that it is my opinion that any drainage on Mr. Giammarco's property is his responsibility and the responsibility of upland contributors and not the Towns' responsibility.

I suggest that any approvals be withheld until his drainage plan is approved by this office.

Respectfully,



Paul V. Cuomo, P. E.  
Town Engineer

PVC/mfb  
attachment

cc: Town Attorney

by \_\_\_\_\_

RECEIVED

JUN 27 1975

28 Oxford Road  
Newburgh, NY 12550  
June 25, 1975

TOWN ENGINEER'S OFFICE  
TOWN OF NEW WINDSOR

Mr. Paul Cuomo  
Town Engineer  
Union Ave.  
New Windsor, NY 12550

Dear Paul

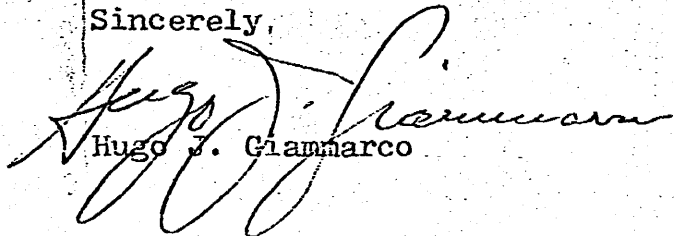
Re: S.6B. 56.3.2 & S.6B. 56.3.3 *Giannaro's Properties*

Reference is made to above parcels of land located on Oxford Rd. Circle bordering a fifteen foot strip of land owned by the Town of New Windsor. Said land located North of my property line has an existing-dilapidated pumphouse on the property which is the town's responsibility. This prevailing house and property is damaged and presents a condition of danger that I feel the town should correct.

Children are constantly going into the area and if any injury is incurred-it is the town's responsibility. In addition, I have a drainage condition of water constantly flowing into my property from across the road(nee Ciccone property). I have researched same and find it to be a drainage condition originating from the Woodwind development and flowing down through my property causing a very unsanitary condition. Once again I feel this is a condition the town should correct, and I urge it is done immediately.

My point of contention regarding above is the town appraisal in conjunction with Cole Layer Trumble has increased the assessment 800 percent. It is impossible for me to maintain this land and pay the taxes as such, so I find it necessary to sell some-if possible. I want a complete clarification on this problem and urge you to advise me as soon as possible. If necessary, I intend to explore this to its fullest with legal measures.

Sincerely,

  
Hugo J. Giannaro

mmg/HJG



1763

# TOWN OF NEW WINDSOR

OFFICE OF THE TOWN ENGINEER

NEW WINDSOR, NEW YORK

914 - 565-8802

June 30, 1975

Mr. Hugo J. Giammarco  
28 Oxford Road  
New Windsor, N. Y. 12550

Re: Giammarco Drainage and  
Subdivision

Dear Hugo:

I have received your letter of January 25, 1975  
and discussed it with the Town Attorney.

It is the Town Attorney's position legally that  
if the drainage problem that exists on your land  
is caused by excess flow from Woodwind upstream, than  
your course of redress is first and foremost against  
Woodwind.

I suggest therefore that you contact the dev-  
elopers of Woodwind and appraise them of the condition  
they have caused and legal actions you intend to take  
if the matter is not resolved.

Very truly yours,

Paul V. Cuomo, P. E.  
Town Engineer

PVC/mfb  
cc: Chairman Planning Board  
Town Attorney  
Councilman Lahey

NEW WINDSOR PLANNING BOARD MEETING  
HELD - JULY 23, 1975 7:30 p.m.

BOARD MEMBERS PRESENT: CHAIRMAN JOSEPH LOSCALZO,  
VICE CHAIRMAN HENRY VAN LEEUWEN,  
LAWRENCE JONES, ERNEST SPIGNARDO,  
ALBERT ARGENIO, AND JOSEPH CIMORELLI.

BOARD MEMBERS ABSENT: THOMAS DOWD

OTHERS PRESENT: PAUL CUOMO - TOWN ENGINEER  
PHILLIP CROTTY JR. - TOWN ATTORNEY  
HOWARD COLLETT - BUILDING AND ZONING INSP.  
SHIRLEY HASSDENTEUFEL - RECORDING SECRETARY

tape 75 and 76

Chairman Loscalzo will be late and in his absence Vice Chairman Van Leeuwen will open the meeting.

Vice Chairman Van Leeuwen opened the meeting at 7:30 p.m.

#1 on the Agenda -

Anthony Congelosi ( Circle C )  
Represented by Mr. Bergston for Vince Doce

Mr. Bergston: This is a two lot subdivision. This is located on Schwartz Lane of Route 207.

Vice Chairman Van Leeuwen: How much land?

Mr. Bergston: Under one acre.

Vice Chairman Van Leeuwen: We can't subdivide a non conforming lot.

Attorney Crotty: You can not subdivide a non conforming lot without a variance.

Vice Chairman Van Leeuwen: I think Mr. Congelosi should be informed that the remaining property couldn't be sold.

Mr. Bergston: If you want I will call him.

Vice Chairman Van Leeuwen: He will never be able to subdivide and sell because of the size.

Mr. Bergston: Do I have to come back next month?

Vice Chairman Van Leeuwen: It states on the map it is not to be built on but to enlarge the size of the lot.

Congelosi Circle C continued:

Motion by Mr. Spignardo seconded by Mr. Cimorelli that the Planning Board of the Town of New Windsor approve the Congelosi tow lot subdivision located on Schwartz Lane and Route 207 and collect all fees. Fee \$25.00 S/D \$200.00 Parkland fee. Vote: all ayes, Motion carried. Fee not paid.

#2 on the Agenda -

Harold Adams Balmville Estates

Mr. Adams; I will explain my map. This drawing shows everything I have owned since 1959. The Town had an ordinance at that time but it wasn't enforced.

Vice Chairman Van Leeuwen: In 1965 Zoning went into effect.

Mr. Argenio: Can the map be signed saying no approval necessary.

Motion by Mr. Jones seconded by Mr. Argenio that the Planning Board of the Town of New Windsor says that they will stamp the map of Harold Adams with no approval necessary. Vote: all ayes, Motion carried.

Mr. Cuomo: I told Mr. Adams to bring His road plan that he wants the Town to take over.

Mr. Adams explained the property where the road exists that he wants the Town to take over.

Mr. Jones: The Highway Superintendent should look at this.

Mr. Spignardo: The Highway Superintendent and the Engineer should review this.

Vice Chairman Van Leeuwen: Ask Joe Vesely to write us a letter on this Mr. Adams. I would like the Highway Superintendent and the Town Engineer to check this.

#3 On the Agenda -

Day Site Plan Harris

No representation

#4 on the Agenda -

Bonura Site Plan (Perkin Pancake) #75-13  
Located on Route 32  
Represented by Mr. Ben Kittler

Mr. Kittler: This is a parking lot on the west side of Route 32,



Mr. Kittler continued: This is an employee parking lot only. There are sixteen parking spaces in the parking lot. At the request of the Town Engineer this will be graded.

It will have:

1 inch of binder top course

1 inch 45 SX of asphalt concrete

6 inch of run of bank base

Casting curbing from the State highway property line.

It will not go on the State property.

Precast concrete wheel stops.

We have no changes except to fill in low spot. We had a letter from the D.O.T. stating if existing entrance is used and no change to take place a highway work permit is not required.

Mr. Argenio questioned Mr. Kittler about the error on the map. Mr. Argenio stated that Mr. Kittler would have to cross out the word binder. A binder is a separate course. (Mr. Argenio explained the course of mix.)

Mr. Cuomo: I checked with the D.O.T. and they said they would approve it.

Mr. Argenio: There is excellent drainage by the State there.

Motion by Mr. Spignardo seconded by Mr. Cimorelli that the Planning Board of the Town of New Windsor approve the site plan of Mary Bonura #75-13 located on Route 32 (west side) as corrected by Mr. Ben Kittler. Vote: All ayes, Motion carried. Site Plann fee \$100.00 Fee not paid July 23, 1975.

#5 on the Agenda -

Calvin and Frances Platt Subdivision #75-22

No representation (Cancelled this p.m.)

#6 on the Agenda -

Silver Stream Trailer Court #75-23

Located on Little Britain Road

Represented by Mr. Peter Bivona

and Mr. Charles Bivona

Mr. Bivona: We are here tonight to ask for final approval. Now that sewage is coming thru we can start to build.

Vice Chairman Van Leeuwen: We have to refresh our memory. This has been a couple of years and there are also new members on the Board since you were here. We would like the Town Engineer to look at this. Mr. Cuomo we would like you to check this.

Bivona - Silver Stream Trailer continued

Mr. Spignardo: How many additions?

Mr. Bivona: Fifty three additions.

The whole thing was ready to go and then the MTA was going to take it.

We were ready to put sewage disposal in. They said they were going through there so we stopped. Now a sewer district is going in and the MTA is going to take it so we can go ahead.

Mr. Argenio: You say the map was approved.

Mr. Bivona: Preliminary

Vice Chairman Van Leeuwen: Mr. Cuomo, our Engineer will have to look this over.

Mr. Jones: There was something about a road in the file.

Vice Chairman Van Leeuwen read a letter from former Planning Board Engineer Bernard Kessler regarding the submission of the Silver Stream Trailer Park.

Attorney Crotty: You can expand 30% pre-existing. There has been new Zoning go into effect.

Mr. Bivona: What can we do now?

Attorney Crotty: I will have to research this.

Motion by Mr. Jones seconded by Mr. Cimorelli that the Planning Board of the Town of New Windsor turn the plans of Silver Stream Trailer Park #75-23 located on Little Britain Road over to the Town Engineer and the Town Attorney for their review and report. Vote- All ayes, Motion carried.

#7 on the Agenda:

Geysen Park #75-3 Section 2  
Located on Station Road  
Represented by Mike Richi

Mr. Richi: I would like to explain the map to the Board.

Mr. Cuomo: I reviewed this.

Mr. Richi: I have two letters from the Health Department. I am going through a subdivision. Whether it is major or minor.

Vice Chairman Van Leeuwen: I have a question about the map.

Mr. Richi: You asked for a skematic and that is what I brought.

Vice Chairman Van Leeuwen showed the Board the original map.

Geysen Park continued-

Vice Chairman Van Leeuwen: We gave him approval not long ago for three (3) lots.

Mr. Argenio: It has more than four lots.

Mr. Jones: I don't think it is legal what he is trying to do. They are trying to make a major S/D out of a minor S/D.

Attorney Crotty: I called Orange County Planning Department and they said it sounded like a major Subdivision.

Mr. Richi: Only a major subdivision goes to the County Health Department.  
Do I need a Public Hearing?

Chairman Loscalzo: Not on a minor Subdivision.

Vice Chairman Van Leeuwen: We want a plat plan on all of this land. Mr. Fabricant came in with this plan. Nine of the seventeen lots were approved. Herb told it was legal. He comes with three or four now.

Mr. Richi: Section 3 is currently at the County Health Department.

Motion by Mr. Jones, seconded by Mr. Spignardo that the Planning Board of the Town of New Windsor send the Geysen Park Subdivision #75-3 Section 2, located on Station Road to the Town Attorney to research this and also he will check this with the County Planning Department.  
Vote: all ayes, Motion carried.

# 8 on the Agenda:

Continental Manor Site Plan  
Located on Temple Hill Road  
Represented by Attorney Joseph Romano

Attorney Romano: We have been involved since March of 1974. In March you approved a site plan. The Town prepared a Sewer Easement.  
The Town sent us a revised Sewer Easement. We signed this. As you know the Erie Lackawanna Railroad is having some difficulty. As a result we have changed our location of buildings. The number of buildings are the same. We have a revised site plan. As part of the original plan we needed an easement from the Erie Lackawanna on our property. We can now build a retention basin on our own property. We don't need an easement. We agreed to give the Town \$15,000 if and when you set up the drainage system. I would like to emphasize

Attorney Romano continued: one thing. The Plan is changed because of the Town 's request. The number of units are the same. The only change is the relocations of some buildings.

Mr. Luzzi: I will explain the Plans to the Board. We are moving everything off the Erie Lackawanna property and on to our property now.

Attorney Crotty: What was the date of final approval?

Attorney Romano: March 1974. This is a Site Plan.

Attorney Crotty: Was this filed with the County?

Attorney Romano: As I said this is a site plan. This doesnot have to be filed with the County. Site plans don't have to be filed with the County.

Vice Chairman Van Leeuwen: We would like to turn this over to our Engineer and Town Attorney for review.

Attorney Romano: After we agreed at the request of the Town. We did this in good faith. We did what we were told to do. We have given sewer easements. We have paid our taxes. It has cost us \$18,000 in taxes.

Mr. Spignardo: This still has to be checked by our Engineer.

Attorney Crotty: You say that Site Plans don't have to be filed with the County like Subdivisions. We had a new Zoning Law go into effect May 21, 1975 of this year. It was a big zoning change. The Zoning Law changes density.

Attorney Romano: This was done under Section 280 E with the Town. We agreed to do the Water District and easements.

Vice Chairman Van Leeuwen: Did you deposit \$15,000 with the Town?

Attorney Romano: We didn't have to. When you do your water district we will be notified and we will get it up.

Motion by Mr. Jones seconded by Mr. Spignardo that the Planning Board of the Town of New Windsor have the Site Plan of Continental Manor located on Temple Hill Road sent to the Town Engineer and Town Attorney for research.  
Vote: all ayes, Motion carried.

#9 on the Agenda

Land of Turtle Improvement  
Name changed to Edward McConnach  
Represented by Mr. Jeffrey Starin

Mr. Starin: The name has been change to Edward McConnach and it is located on Silver Spring Road and Queen Street. This property has 20,000 square feet.

Chairman Loscalzo: Where is the water and sewer?

Mr. Starin: I will show you on the map.

Attorney Crotty: This is R 4 Zoning.

Mr. Starin: We will make Silver Spring the front yard.

Vice Chairman Van Leeuwen: Any comments from the Board?

Motion by Mr. Spignardo seconded by Mr. Jones that the Planning Board of the Town of New Windsor approve the two (2) lot subdivision of Edward McConnach located on Silver Spring and Queen Street. \$25.00 Subdivision fee and \$200 Parkland fee. Vote: all ayes, Motion carried.  
Fee not paid at meeting. Mr. Starin to call the Secretary  
NOTE Fee of \$200.00 Parkland and \$25.00 Subdivision paid to Secretary on August 15, 1975. Maps were given to Mr. Starin on that date.

#10 on the Agenda

Norema Versland Site Plan  
Located on Walsh Road  
Represented by Mr. Greg Shaw,  
Mr. Robert Hodesblatt and Mr. Lawrence Bilello.

Mr. Shaw: We are here for site plan approval tonight. This land is on Walsh Road. This is the old Little Falls Paper Mill property.  
There will be three bays. One for an apron type truck.  
There is 2,000 ft. frontage.  
We are required 47 parking spaces.

Mr. Jones: What are you going to manufacture?

Mr. Hodesblatt: Kitchen cabinets.

Mr. Jones: How about sheet rock?

Mr. Hodesblatt: We may or may not.

Mr. Jones: This is the area they tried to slip a junk yard in.

Mr. Shaw: We are 120 ft. from the creek.

Mr. Hodesblatt: We have water and sewer.

Mr. Jones: What kind of a building?

Mr. Hodesblatt: A cinder block building.

Mr. Shaw: You will have a wrap around Spanish type exterior.

Mr. Jones: Will there be saw dust?

Mr. Hodesblatt: No.

Vice Chairman Van Leeuwen: What is the square footage of the building?

Mr. Hodesblatt: 12,000 square ft.  
We need highth for storage.

Vice Chairman Van Leeuwen: How many employees?

Mr. Hodesblatt: 10 - 40 people as it grows. On the second floor there will be offices. Basically the intent is to put up a good looking building.

Chairman Loscalzo: Are you going to fence the area?

Mr. Hodesblatt: We have to fence the front.

Attorney Crotty: How close are you to the nearest residential zone?

Mr. Bilello: 500 ft.

Vice Chairman Van Leeuwen: Have you looked at this Mr. Cuomo?

Mr. Cuomo: Yes. The only possibility was of erosion. They are going to put a base coat.

Vice Chairman Van Leeuwen: Would you put on the map to leave the screening that is there.

Mr. Hodesblatt: Yes.

Motion by Mr. Jones seconded by Mr. Spignardo that the Planning Board of the Town of New Windsor approve the site

plan of Norema Vesland located on Walsh Road with the following two (2) stipulations: 1. Pave within one year, 2. Leave existing screening at back of the property alone. Site Plan fee \$100.00. Vote- All ayes, Motion carried. Fee paid. \$100.00.

#1 on the Agenda -

#### Correspondence

Hearing no objections a letter dated June 17, 1975 from Mr. Giffuni of Kanaje Corp. asking to come before the Planning Board for an informational meeting was received and filed.

Hearing no objections a letter dated June 23, 1975 from B.& E. Amusements re: an amusement park in New Windsor and requesting the Planning Board negotiate the property in question on Route 32 above the intersection of Union Avenue. Secretary to write a letter stating this property is in a residential area that they are referring to. Also the Planning Board does not negotiate.

Hearing no objections a copy of a letter dated June 30, 1975 to Hugo Giammarco from Town Engineer Cuomo re: Giammarco Drainage and S/D located on Oxford Road. Mr. Cuomo stated the Town Attorney's position legally that if the drainage problem that exist on Giammarco property is caused by an excess flow from Woodwind upstream, than Mr. Giammarco course of redress is first and foremost against Woodwind. Mr. Cuomo suggested that Mr. Giammarco contact the developers of Woodwind to appraise the condition. Attached is a letter from Mr. Giammarco to Mr. Cuomo in reference to the Giammarco property. This was recorded received and filed. See attachment #1

Hearing no objections a memo dated June 30, 1975 from Town Engineer Cuomo re: Giammarco drainage and advises that it is his opinion that any drainage on Mr. Giammarco's property is his responsibility and the responsibility of upland contributors and not the Towns responsdibility. Mr. Cuomo suggests that any approvals be withheld until his drainage plan is approved by the Town Engineer's Office. This letter was recorded received and filed.

Hearing no objections a letter dated July 9, 1975 from the ZBA Secretary, Patricia Delio re: 2 Public Hearings to be held on July 14, 1975. One to be held at 8:15 P.M. for a Variance and Conditional Use Permit of Frank Purdy.

The second Public Hearing to be held at 9:00 P.M. for Application for a sign variance of Leisure Hours. This was recorded received and filed.

Hearing no objections a letter dated July 16, 1975 to Julia M. Tuckosh, Town Clerk from Mr. Ralph Jackson of the U.S. Post Office stating a street in the Country Syde Homes has been named Benet Road and it conflicts with another street in New Windsor delivery area named Bennett.. Mr. Jackson suggests that another name be used. This was recorded received and filed.

Hearing no objections a letter dated July 22, 1975 from ZBA Secretary Patricia Delio advising of two Public Hearings that are scheduled on July 28th for 8:00 P.M.-Perkins Pancake for a Sign Variance and 8:15 P.M. sign variance for Plaza Property (replacement of Big V signs). This was recorded received and filed.

Hearing no objections a letter dated July 21st, 1975 from Mr. Elliott Weiner of Rider, Weiner and Loeb Attorneys re: a six month extension of the six lots in the Woodwind Extension (suiky) of Preliminary Approval. This was recorded received and filed.

Motion by Mr. Spignardo seconded by Mr. Jones that the Planning Board of the Town of New Windsor approve a six month extension to the Woodwind Extension which consists of six lots. Vote- All ayes, Motion carried.

Secretary to send a letter to Attorney Weiner re: the drainage on this property. (see Engineer Cuomo about letter).

#12 on the Agenda:

Minutes

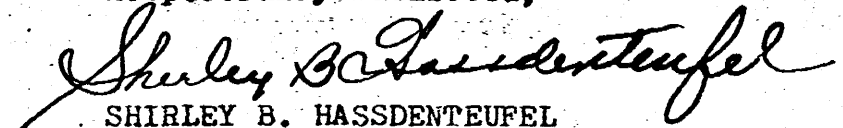
Motion by Mr. Argenio seconded by Mr. Jones that the Planning Board of the Town of New Windsor approve the minutes of the June 25th, 1975 meeting as read. Vote- all ayes, Motion carried. MINUTES APPROVED.

#13 on the Agenda:

Adjournment

Motion by Mr. Spignardo seconded by Mr. Cimorelli that the Planning Board of the Town of New Windsor adjourn the July 23, 1975 meeting. Vote- All ayes, Motion carried. Meeting Adjourned 11:35 p.m.

Respectfully submitted,

  
SHIRLEY B. HASSDENTEUFEL  
Recording Secretary



Date 4/16/75

Application No. 75-17

APPLICATION FOR SUBDIVISION APPROVAL

Town of New Windsor, 555 Union Avenue, Orange County, N.Y.

Tel: 565-8808

Application is hereby made for subdivision of lands situated in the Town of New Windsor and described as follows:

1. Name of subdivision HUGO & JOSEPHINE GIAMMARCO
2. Location OXFORD ROAD
3. Acreage 36,000± S.F. 4. Number of lots 3 5. Zone RB (C)
6. Name & address of subdivider HUGO GIAMMARCO, OXFORD LANE, TOWN OF NEW WINDSOR
7. Name & address of record owner of land SAME AS ABOVE
8. Present and intended uses PRESENT - VACANT  
INTENDED - HOMES

The undersigned applies for subdivision approval of the above described lands under the rules and procedure of the "Land Subdivision Regulations of the Town of New Windsor" as duly authorized by the Town Board of New Windsor, New York. Upon approval of the Preliminary Layout of said subdivision the applicant agrees to install such utilities as are required and to complete the streets as finally approved by the Planning Board or in lieu of this to post a performance bond as set forth and provided in the "Land Subdivision Regulations". Copies of the Preliminary Layout are hereby attached.

Compliance with requirements shall be the sole responsibility of the applicant or his representative and it is suggested a copy of the Subdivision Regulations be obtained to avoid rejection of the plans. Seven (7) copies of the plans are required.

Fees are due and payable upon submission of the preliminary plans. All checks are to be made payable to the Town of New Windsor.

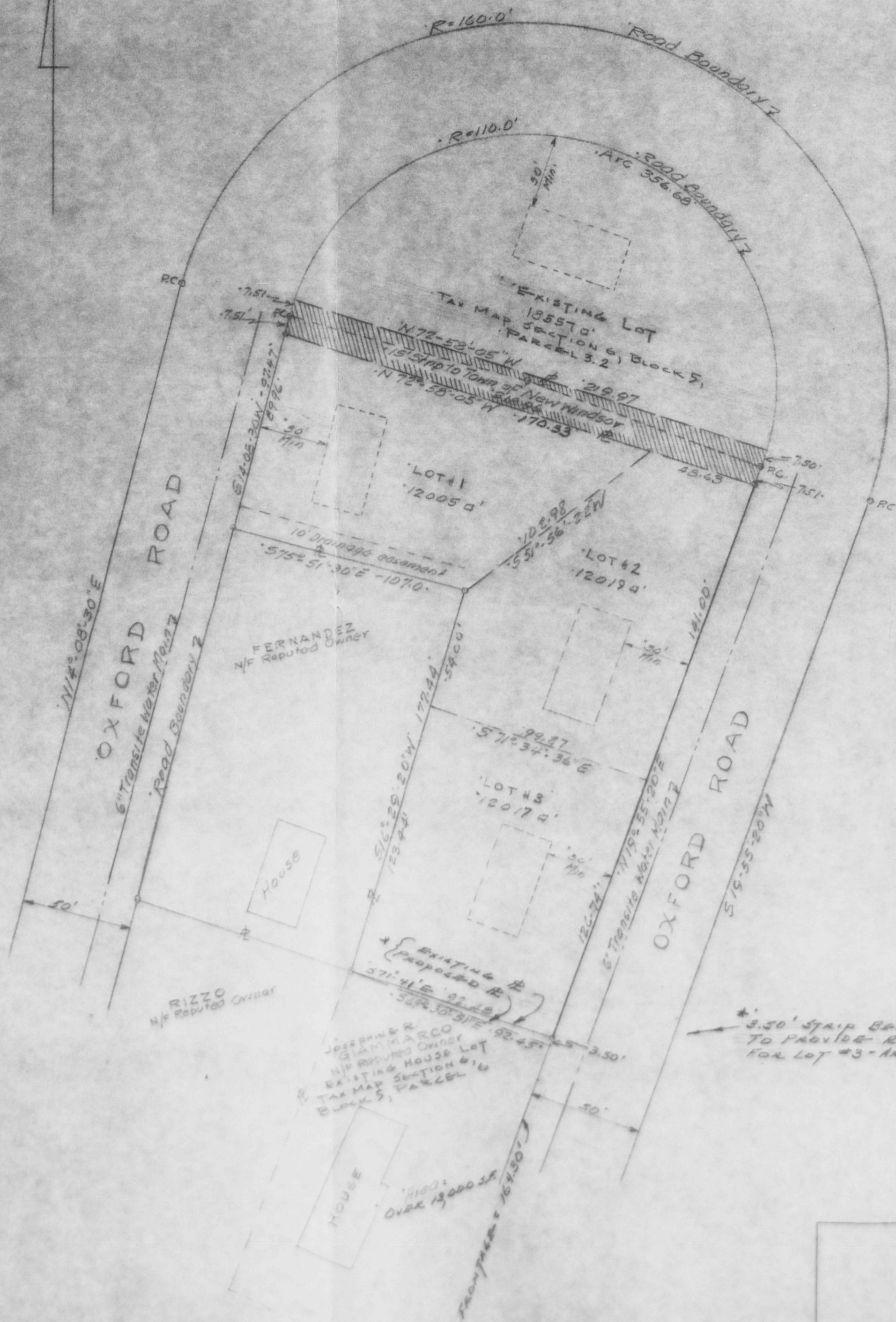
Signature of applicant

V. J. Dook  
VINCENT J. DOOK  
FOR HUGO GIAMMARCO

Adopted 10/5/70

never materialized 9/21/76

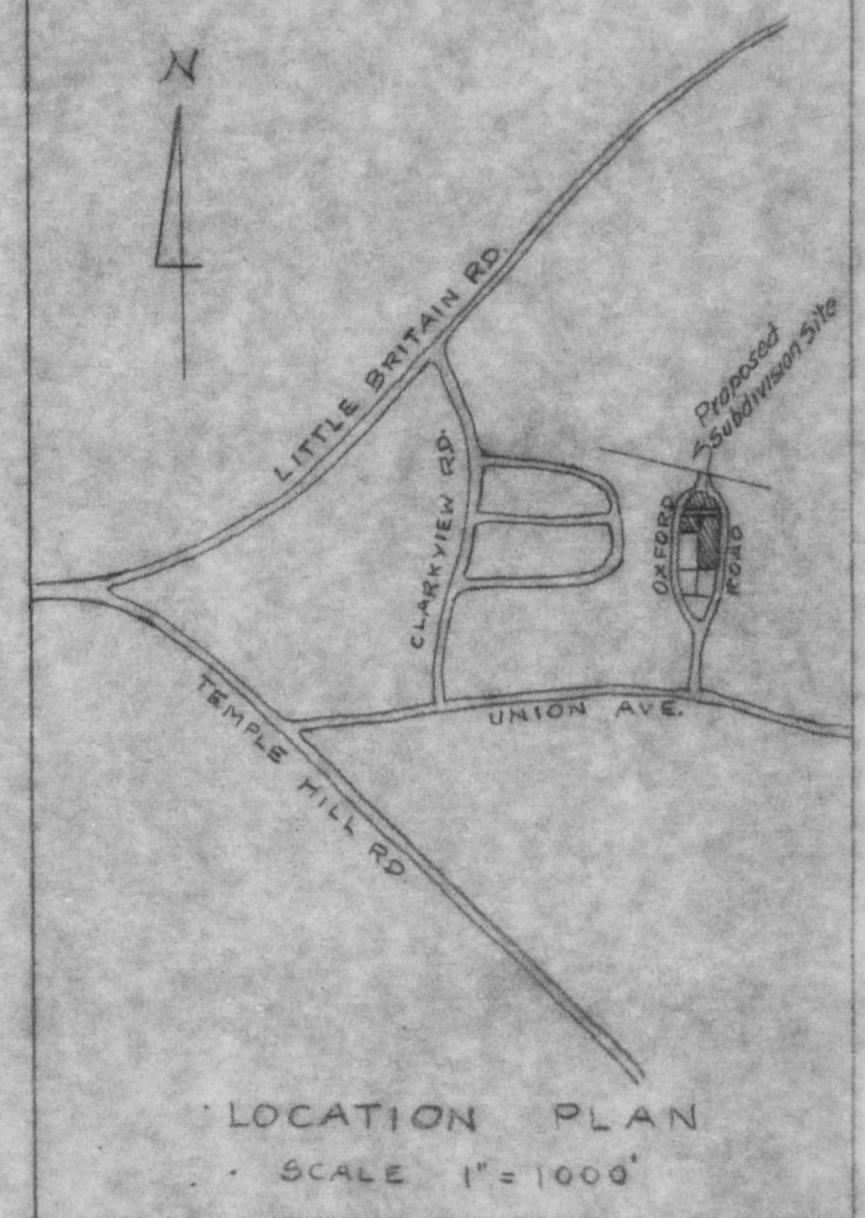




PRELIMINARY PLAN  
LANDS OF  
HUGO J. & JOSEPHINE GIAMMARCO  
OXFORD ROAD, TOWN OF NEW WINDSOR  
ORANGE CO., NEW YORK

WATER AND SANITARY NOTE  
Potable water available (Town Service)  
Sewer lines now being installed

\* 3.50' Strip Being Acquired  
To Provide Required Area  
For Lot #3 - Area Of Strip = 1625 sq ft



ZONE DISTRICT STANDARDS		
RB ZONE (C)		
MINIMUMS		
LOT AREA (SF)		12,000
WIDTH (FT)		90
DEPTH (FT)		100
FRONT YARD (FT)		30
ONE SIDE YARD (FT)		12
BOTH SIDE YARDS (FT)		30
REAR YARD (FT)		35
LIVABLE FLOOR AREA (SF)		1,000
SINGLE FAMILY		

Tax Map Info For Parcel To Be  
Subdivided - Section 6 - Block 5 -  
Parcel 3.2

PROPOSED SUBDIVISION  
LANDS OF  
HUGO J. & JOSEPHINE GIAMMARCO  
OXFORD RD. TOWN OF NEW WINDSOR  
ORANGE CO. NEW YORK

PREPARED BY:  
VINCENT J. DOKE  
PLS 044604  
DARAN PARK NEWBURGH, N.Y.  
PLANNING BY:  
MANUEL A SANTOS, REARLS 9903  
DATE 9-25-74 SCALE 1\"/>

